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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,796	03/18/2004	Amy Lauer	T634.105.101	8889
25281 7590 01/03/2007 DICKE, BILLIG & CZAJA, P.L.L.C. FIFTH STREET TOWERS 100 SOUTH FIFTH STREET, SUITE 2250 MINNEAPOLIS, MN 55402			EXAMINER DAVIS, CASSANDRA HOPE	
			ART UNIT 3611	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/03/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/804,796

Applicant(s)

LAUER ET AL.

Examiner

Cassandra Davis

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-9,19,21-28 and 31-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 31-36 and 38-42 is/are allowed.
- 6) ☒ Claim(s) 1-3,5,6,8,9,19,21-28 and 37 is/are rejected.
- 7) ☒ Claim(s) 7 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 6, 9 rejected under 35 U.S.C. 102(b) as being anticipated by Waldman, U. S. Patent 5269691. Waldman teaches a sticker activity and coloring book comprising a sticker booklet 18, a group of stickers 36 associated with a card 32. In use, the user opens the booklet 18, turns to the page 30 containing the stickers 36, selects/remove one of the stickers and places the sticker on the card sheets 32. Note: since the applicant broadly recites a store value card and does not recite any particular structure of the card, the card sheet 32 taught by Waldman corresponds the claimed store value card.

3. With respect to claim 2, the removing step comprises removing the selected sticker 32 from a group of stickers on page 30 supported by a substrate (cover 70), wherein the substrate also supporting the card 32.

The cover 70 of the booklet supports both the card sheet 32 and the group of sticker on the page 30.

4. With respect to claim 6, since the applicant does not claim any particular structure of the store value card, the examiner considers the card sheet 32 to correspond to the store value card. Each of the stickers has indicia/message corresponding to the indicia on the card sheet.
5. With respect to claim 9, the stickers are peeled off the page 30.
6. With respect to claim 26, the cover 70 correspond to the backing, the card sheet 32 corresponds to the transaction card removably attached to the backing/cover, and the page 30 containing the plurality of stickers correspond to the messages supported by the backing, wherein the cover, card sheet, and page with the sticker are secured together in a booklet.
7. With respect to claim 27, the stickers have indicia.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Waldman in view of Phillips, U. S. Patent 5,829,790. Phillips teaches a group of sticker 34 wherein some of the sticker have blanks so that they by be personalized by printing or hand writing a message. It would have been obvious to one having ordinary skill in the art at the time this invention was made to construct the sticker taught by Waldman with blank sticker as taught by Phillips to provide a means to customize or personalize the stickers.

10. Claims 1-3, 5, 6, 8, 9, 19, 21-24, 26-28, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips, U. S. Patent 5,829,790 in view of McCarthy et al, U. S. Patent 6,493,970.

11. With respect to claims 1, 19, 21, 22, and 23, Phillips teaches a method of personalizing a card, the method comprising: selecting a sticker 34 from a group of stickers associated with the card; removing the selected sticker 34 from the group of stickers, and applying the selected sticker 34 to the card 20 to personalize the card. Phillips does not teach the card being a store value card.

12. McCarthy et al. teaches a greeting card 11 with a detachable a gift certificate card 23. It would have been obvious to one having ordinary skill

in the art at the time this invention was made to construct the greeting card taught by Phillips with the gift certificate as taught by McCarthy to provide all in one greeting card with gift.

13. With respect to claims 5 and 21, the card 23 taught by McCarthy is detachable along perforation line 25 and has a bar code on the rear surface. See figure 2.

14. With respect to claim 22, both Phillips and McCarthy teach tri-fold cards.

15. With respect to claims 3 and 23, Phillips teaches a perforation line 24 to separate the group of stickers 34 from the greeting card 20.

16. With respect to claims 1, 24, 26, and 37, since the applicant does not disclose the having the sticker group in a booklet form solves any stated problem or is for any particular purpose, it appears that constructing the sticker group in any suitable form as taught by Phillips would perform equally well in display and retaining the stickers.

17. Claims 19, 21-24, 26-28, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips, U. S. Patent 5,829,790 in view of Street, U. S. Patent 7,024,807.

18. With respect to claims 19, 21, 22, and 23, Phillips teaches a method of personalizing a card, the method comprising: selecting a sticker 34 from a group of stickers associated with the card; removing the selected sticker 34 from the group of stickers, and applying the selected sticker 34 to the card 20 to personalize the card. Phillips does not teach the card being a store value card.

19. Street teaches a greeting card 12 with a gift card 18 adhesive attached thereto. The greeting card 12 has an aperture 36 to expose a scannable coded portion 46 on the rear of the gift card. This scannable portion can be in the form of magnetic strip or bar codes to provide a means to active the gift card. It would have been obvious to one having ordinary skill in the art at the time this invention was made to construct the greeting card taught by Phillips with the greeting and gift card as taught by Street to provide all in one greeting card with gift.

20. With respect to claim 21, the card 18 taught by Street adhesively attached greeting card and has a scannable portion on the rear surface.

21. With respect to claim 22, Phillips teaches tri-fold cards.

22. With respect to claim 23, Phillips teaches a perforation line 24 to separate the group of stickers 34 from the greeting card 20.

23. With respect to claim 24, 37, and 26, since the applicant does not disclose the having the sticker group in a booklet form solves any stated problem or is for any particular purpose, it appears that constructing the sticker group in any suitable form as taught by Phillips would perform equally well in display and retaining the stickers.

Allowable Subject Matter

24. Claims 31-36 and 38-42 are allowed.

25. Claims 7 and 25 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


26. The indicated allowability of claims 1-3, 5, 7, 8, 9, 21-24, 26-28, 37 is withdrawn in view of the newly discovered reference(s) to Waldman, Phillips, and McCarthy et al. Rejections based on the newly cited reference(s) are stated above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cassandra Davis whose telephone number is 571-272-6642. The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6651.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Cassandra Davis
Primary Examiner
Art Unit 3611

CD
December 26, 2006